



1651

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/550,758
Filing Date	9/23/2005
First Named Inventor	KIM, Young Ok
Art Unit	1651
Examiner Name	N/A
Attorney Docket Number	58049-00019
Total Number of Pages in This Submission	5

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	PTO/SB/08A, PTO/SB/08B and copies of the cited references A1, B1, C1-C4; and Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Total Number of Pages in Submission does not include references.	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Joseph Hyosuk Kim, Ph.D. Reg. No. 41,425 JHK Law
Signature	<i>Hyosuk Kim</i> , Reg. No. 56,814
Date	June 14, 2006

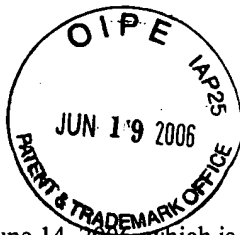
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Sarah Kim		
Signature	<i>Sarah Kim</i>	Date	June 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

I hereby certify that on June 14, 2006, which is the date I am signing this certificate, I am depositing this correspondence and all identified attachments with the U.S. Postal Service, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah Kim

Applicant: **KIM, Young Ok et al.**Serial No.: **10/550,758**Filed: **September 23, 2005**Confirmation No.: **1382**Title: **PHYTASE PRODUCED FROM CITROBACTER BRAAKII**Examiner: **N/A**Art Unit: **1651**Attorney Docket No.: **58049-00019****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed below and on the attached forms PTP/SB/08A and PTO/SB/08B (substitutes for form 1449/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Copies of the cited documents are enclosed.

**English Language Documents:**

U.S. 6,235,517 B1, May 22, 2001

EP 0779037 A1 June 18, 1997

LEI, X.G. &amp; STAHL, C.H., "Biotechnological development of effective phytases for mineral nutrition and environmental protection," Appl Microbiol Biotechnol (2001) 57:474-481

KIM, H.W et al., "Isolation and characterization of a phytase with improved properties from <i>Citrobacter braakii</i> ," <i>Biotechnol. Lett.</i> , Aug. 2003, 25:1231-1234
KIM, Young-Ok et al., "Purification and characterization of a novel phytase from <i>Citrobacter braakii</i> YIL-15" Abstract P21-31 from 9 <sup>th</sup> International Symposium on the Genetics of Industrial Microorganisms, July, 2002
ULLAH, Abul H.J. et al., "Characterization of recombinant fungal phytase ( <i>phyA</i> ) expressed in tobacco leaves," <i>Biochemical and Biophysical Research Communications</i> (1999) 264(1):202-206


It is respectfully requested that the Examiner indicate consideration of the cited references by returning copies of the attached forms PTP/SB/08A and PTO/SB/08B (substitutes for form 1449/PTO) with initials or other appropriate marks, and that the references be made of record as cited references in the application.

Also submitted herewith are copies of the International Preliminary Report on Patentability with Amended sheets (Art. 34).

This Information Disclosure Statement is being filed before the mailing date of a First Office Action on the merits in the above-identified case. Therefore, no fee is required.

The Commissioner is authorized to charge JHK Law's Deposit Account No. 502486 for any fees required under 37 CFR §§ 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. 502486.

Respectfully submitted,

 Reg. No. 56,814

June 14, 2006

Date

Joseph Hyosuk Kim, Ph.D.  
Reg. No. 41,425  
Attorney for Applicants

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Facsimile: (818) 249-8277



*(Use as many sheets as necessary)*

Sheet	1	of	1
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Application Number	10/550,758
Filing Date	September 23, 2005
First Named Inventor	KIM, Young Ok
Art Unit	1651
Examiner Name	N/A
Attorney Docket Number	58049-00019

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B1	EP-0779037 A1	06-18-1997	Gist-Brocades N.V.	Whole Document	

Date  
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/550,758
Filing Date	9/23/2005
First Named Inventor	KIM, Young Ok
Art Unit	1651
Examiner Name	N/A
Attorney Docket Number	58049-00019

Sheet 1 of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	LEI, X.G. & STAHL, C.H., "Biotechnological development of effective phytases for mineral nutrition and environmental protection,"Appl Microbiol Biotechnol (2001) 57:474-481	
	C2	KIM, H.W, et al., "Isolation and characterization of a phytase with improved properties from Citrobacter braakii,"Biotechnol. Lett., Aug. 2003, 25:1231-1234	
	C3	KIM, Young-Ok et al., "Purification and characterization of a novel phytase from Citrobacter braakii YIL-15" Abstract P21-31 from 9th International Symposium on the Genetics of Industrial Microorganisms, July, 2002	
	C4	ULLAH, Abul H.J., et al., "Characterization of recombinant fungal phytase (phyA) expressed in tobacco leaves,"Biochemical and Biophysical Research Communications (1999) 264(1):202-206	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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